



FEB 16 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

see OK GAU-3736# R.Y.

#4 / ELECTION / A / W/E.O.T / 3 MOS

In re Application of:
Leroy Braun, et al.

Serial No.: 09/139,858

Filed: August 25, 1998

For: Multimedia Feature For
Diagnostic Instrumentation

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Art Unit: 3736

Attorney Docket No. 044000.0016

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below:	
February 4, 2000	<i>Terri Muñoz</i>
Date	Terri Muñoz

PETITION FOR THREE MONTH EXTENSION OF TIME

Applicants hereby petition that the one-month period for response to the Examiner's Action, dated October 4, 1999, be extended for three (3) months to February 4, 2000. A check in the amount of \$870.00 for the three-month extension fee under 37 C.F.R. § 1.17(a) is submitted herewith.

RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

Responsive to the Office Action dated October 4, 1999, please amend the above application without prejudice, as follows:

RESPONSE TO RESTRICTION REQUIREMENT

In the Office Action dated October 4, 1999, the Examiner requires restriction between "Species I drawn to Fig. 1-3, conventional audiometer, [and] Species II drawn to a multimedia audiometer at Figure 4." While not necessarily agreeing with the restriction requirement or the Examiner's contentions therein, Applicants do not traverse the Examiner's requirement for election as between Species I and Species II. Therefore, and purely for purposes of expediency, Applicants elect to prosecute Species II for prosecution on the merits of this application, and identify claims 1-4 and 11-20, as presently amended, as being readable on Species II. Accordingly, Applicants have agreed, without prejudice to the filing of a divisional application directed to the subject matter thereof, to cancel claims 5-10 and reserve the right to file a divisional application on these claims. The foregoing identification

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